OFFEROR SUBMISSION PACKAGE

SP0600-99-R-0118

SOLICITATION:

PURCHASE PROGRAM: 1.1M
THE ENCLOSED SOLICITATION COVERS THE PERIOD:
OCTOBER 1, 1999 THROUGH DECEMBER 31, 2000
To be timely, offers must be received at the Defense Energy Support Center by: 1:00 P.M., LOCAL TIME, AUGUST 3, 1999
<u>INSTRUCTIONS</u> :
1. One copy of this Certification Package must be returned to the Defense Energy Support Center as you offer. All documents to be completed and returned are contained in this Offeror Submission Package:
 X Standard Form 1449 X Offer Schedule and Additives (Additives are for JP8 offers only) X Offer Information Sheet X All Applicable fill-in Clauses X DESC Form 2051, Request for Assignment of a Commercial and Government Entity (CAGE) Code DESC-P Form 1, Small Business and Small Disadvantaged Business Subcontracting Plan
2. Be sure to check your offer prices in Section B for accuracy and legibility prior to submission. Initial all changes. Sign and date the Standard Form 1449 in ink.
3. If you are submitting your offer by facsimile, please limit your facsimile transmission to the contents of this Offeror Submission Package.
4. By submission of this package, you are stating that ALL terms and conditions of the entire solicitation are accepted and apply to your offer unless clearly stated herein.

SOLICITATION/CONTRAC							1. REQU	JISITION	NUMI	BER	P	AGE	1 OF 26
OFFEROR TO COMPI 2. CONTRACT NUMBER	3.AWARD/EFF	, , , , , , , , , , , , , , , , , , ,		ER NUMBER			5. SOLIC	ITATION	NUMI	BER	6 SOL	ICITA	ATION ISSUE
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NOTE: Review the Schedule of Requirements located in the Addendum on Pag<u>A-5</u>, and complete the OFFER SCHEDULE, and OFFER INFORMATION SCHEDULE. ALL OFFERS MUST COMPLY WITH NOTES 1-10 AND THE SPECIAL NOTE LISTED IN CLAUSE B14.04 ESTIMATED SUPPLIES TO BE FURNISHED (DOMESTIC BULK) (DESC JUN 1992):

OFFER SCHEDULE

ITEM	PRODUCT	FOB ORIGIN	METHOD OF DELIVERY	ESTIMATED QUANTITY	OFFER UNIT PRICE (USD/USG) EFFECTIVE 22 JUN 99
0101					
0201					
0301					

OFFER INFORMATION SHEET

1. State the minimum/maximum quantities for award by product and/or by shipping point:

PRODUCT	MODE	SHIPPING POINT	MINIMUM QUANTITY (U.S. GALLONS)	MAXIMUM QUANTITY (U.S. GALLONS)

2. State the minimum/maximum quantities (parcel size) for each individual lift at each shipping point for each method of delivery by product:

PRODUCT	MODE	SHIPPING POINT	MINIMUM QUANTITY (U.S. BARRELS)	MAXIMUM QUANTITY (U.S. BARRELS)

3. State the minimum number of days between lifts per product for each method of delivery (please state if there is no interval required between lifts):

Please provide the map coordinates for your shipping point/refinery point.

PRODUCT	MODE	NUMBER OF DAYS BETWEEN LIFTS

|--|

(MAP COORDINATES)	
5. Specify any other port restrictions that would apply to a vessel loading at the facility (i.e., height restrictions vessel manifold; vessel dead weight tonnage (DWT); requirements for inert gas systems; vapor control hook-ups vessel inspections; daylight berthing only; etc.):	
6. Specify operating hours for berthing and for loading:	
Berthing:	
Loading:	

NOTE

Any restriction is subject to the Government applying a transportation penalty for evaluation purposes. Any restriction not identified will not be considered when calculating laytime allowance (See Clauses F15/F52).

SEGMENT I

This segment applies to both domestic and foreign concerns offering on this solicitation.

SECTION F

F29.01 CONTRACTOR ORDERING AGENTS (DFSC FEB 1995)

Orders placed hereunder shalbe directed to the prime Contractor at the address indicated on the cover page unless another address is indicated below.

(NOTE: Offeror to complete when submitting proposal.)

(DFSC 52.216-9F16)

SECTION G

G9.07	 ELECTRONIC TRANSFER OF FUNDS PAYMENTS - CORPORATE TRADE EXCHANGE (DESC MAY 1999) (a) This clause applies to payments made by DFAS Columbus. (b) The Contractor shall supply the following information to the Contracting Officer no later than 3 days after contracting Officer no later
award.	(e) The continuous shall supply the folioting maximum to the continuous continuous actions and continuous cont
NAM	IE OF RECEIVING BANK: (DO NOT EXCEED 29 CHARACTERS)
CITY	AND STATE OF RECEIVING BANK:
AME	RICAN BANKERS ASSOCIATIONNINE DIGIT IDENTIFIER OF RECEIVING BANK:
ACC	OUNT TYPE CODE: (Contractor to designate one)
[]	CHECKING TYPE 22
[]	SAVINGS TYPE 32
RECIPIE	NT'S ACCOUNT NUMBER ENCLOSED IN PARENTHESES:
RECIPIE	NT'S NAME:
STREET	ADDRESS:
CITY AN	ID STATE:
for inform	<u>NOTE</u> : Additional information may be entered in <u>EITHER</u> paragraph (c) <u>OR</u> paragraph (d) below. Total space available nation entered in (c) <u>OR</u> (d) is 153 characters.
	(c) SPECIAL INSTRUCTIONS/OTHER IDENTIFYING DATA:

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(DO NOT EXCEED 153 CHARACTERS)

OR

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(DO NOT EXCEED 153 CHARACTERS)

- (e) Any change by the Contractor in designation of the bank account to receive electronic transfer of funds in accordance with this clause must be received by the Contracting Officer no later than 15 days prior to the date the change is to become effective.
 - (f) The electronic transfer of funds does not constitute an assignment of such funds in any form or fashion.
- (g) In the event corporate trade exchange (CTX) payments cannot be processed, the Government retains the option to make payments under this contract by check.

(h) NOTICE TO FOREIGN SUPPLIERS.

- (1) Payment may be made through the Federal Reserve Wire Transfer system. The bank designated as the receiving bank must be located in the United States and must be capable of receiving Automat@learing House (ACH) transactions. The appropriate American Bankers Association nine-digit identifier must be supplied in order for payments to be processed through CTX.
- (2) If your account is with a foreign bank that has an account with a bank located within the United States, the U.S. bank may be designated as the receiving bank. The recipient's name and account number shall identify the foreign bank, and transfer instructions to supplier's account must be specified in (d) above.
- (3) The Third Party Information supplied in (d) above will be located in the first RMT segment of the CTX payment information sent to the receiving bank.
 - (i) Notwithstanding any other provision of the contract, the requirements of this clause shall control.

(DESC 52.232-9FJ1)

SECTION J

LIST OF DOCUMENTS, EXHIBITS & OTHER ATTACHMENTS

ATTACHMENT 1	TELEFACSIMILE ORDER FORMAT (DD FORM 1155)
ATTACHMENT 2	TELEFACSIMILE RECEIVING REPORT (DD FORM 250/DD FORM 250-1)
ATTACHMENT 3 CODE	REQUEST FOR ASSIGNMENT OF COMMERCIAL AND GOVERNMENT ENTITY (CAGE
ATTACHMENT 4	CONTRACTOR BULK LIQUID FACILITIES REPORT

SECTION K

K1.01-9 OFFEROR REPRESENTATIONS AND CERTIFICATIONS - COMMERCIAL ITEMS (ALT I) (MAY 1999/OCT 1998)

(a) **DEFINITIONS.** As used in this provision--

(5) COMMON PARENT.

- (1) **Emerging small business** means a small business concern whose size is no greater than 50 percent of the numerical size standard for the standard industrial classification code designated.
- (2) **Small business concern** means a concern, including its affiliates, that is independently owned and operated, not dominant in the field of operation in which it is bidding on Government contracts, and qualified as a small business under the criteria in 13 CFR Part 121 and size standards in this solicitation.
 - (3) Women-owned small business concernmeans a small business concern--
- (i) Which is at least 51 percent owned by one or more women or, in the case of any publicly owned business, at least 51 percent of the stock of which is owned by one or more women; and
 - (ii) Whose management and daily business operations are controlled by one or more women.
- (4) **Women-owned business concern**means a concern which is at least 51 percent owned by one or more women; or in the case of any publicly owned business, at least 51 percent of the stock of which is owned by one or more women; and whose management and daily business operations are controlled by one or more women.
- (b) TAXPAYER IDENTIFICATION NUMBER (TIN) (26 U.S.C. 6050M). (Not applicable if the offeror is required to provide this information to a central contractor registration database to be eligible for award.)
- (1) All offerors must submit the information required in paragraphs (b)(3) through (b)(5) of this provision to comply with debt collection requirements of 31 U.S.C. 7701(c) and 3325(d), reporting requirements of 26 U.S.C. 6041, 6041A, and 6050M, and implementing regulations issued by the Internal Revenue Service (IRS).
- (2) The TIN may be used by the Government to collect and report on any delinquent amounts arising out of the offeror's relationship with the Government (31 U.S.C. 7701(c)(3)). If the resulting contract is subject to the payment reporting requirements described in FAR 4.904, the TIN provided hereunder may be matched with IRS records to verify the accuracy of the offeror's TIN.

(3) TAXPAYER IDENTIFICATION NUMBER (TIN). [] TIN: [] TIN has been applied for. [] TIN is not required because: [] Offeror is a nonresident alien, foreign corporation, or foreign partnership that does not have income effectively connected with the conduct of a trade or business in the U.S. and does not have an office or place of business or a fiscal paying agent in the U.S. Offeror is an agency or instrumentality of a foreign government; [] Offeror is an agency or instrumentality of a Federal, state, or local government; Other. State basis. (4) TYPE OF ORGANIZATION [] Sole proprietorship; [] Partnership; [] Corporate entity (not tax-exempt); [] Corporate entity (tax-exempt); [] Government entity (Federal, State, or local); [] Foreign government; [] International organization per 26 CFR 1.6049-4;

[] Offeror is not owned or controlled by a common parent.

Name _____

Name and TIN of common parent:

(c) Offerors must complete the following representations when the resulting contract is to be performed inside the United States, its territories or possessions, Puerto Rico, the Trust Territory of the Pacific Islands, or the District of Columbia. Check all that apply.
(1) SMALL BUSINESS CONCERN. The offeror represents as part of its offerthat it
[] is [] is not
a small business concern.
(2) SMALL DISADVANTAGED BUSINESS CONCERN. (Complete only if the offeror represented itself as a small business concern in paragraph (c)(1) of this provision.) The offeror represents, for general statistical purposes that it-
[] is [] is not
a small disadvantaged business concern as defined in 13 CFR 124.1002.
(3) WOMEN-OWNED SMALL BUSINESS CONCERN. (Complete only if the offeror represented itself as a small business concern in paragraph (c)(1) of this provision.) The offeror represents that it
[] is [] is not
a women-owned small business concern.
NOTE: Complete paragraphs $(c)(4)$ and $(c)(5)$ only if this solicitation is expected to exceed the simplified acquisition threshold.
(4) WOMEN-OWNED BUSINESS CONCERN (OTHER THAN SMALL BUSINESS CONCERN). (Complete only if the offeror is a women-owned business concern and did not represent itself as a small business concern paragraph (c)(1) of this provision.) The offeror represents that it -
[] is [] is not
a woman-owned business concern.
(5) TIE BID PRIORITY FOR LABOR SURPLUS AREA CONCERNS. If this is an invitation for bid, small business offerors may identify the labor surplus areas in which costs to be incurred on account of manufacturing or production (by offeror or first-tier subcontractors) amount to more than 50 percent of the contract price.
(6) SMALL BUSINESS SIZE FOR THE SMALL BUSINESS COMPETITIVENESS DEMONSTRATION PROGRAM AND FOR THE TARGETED INDUSTRY CATEGORIES UNDER THE SMALL BUSINESS COMPETITIVENESS DEMONSTRATION PROGRAM. (Complete only if the offeror has represented itself to be a small business concern under the size standards for this solicitation.) (i) (Complete only for solicitations indicated in an addendum as being set-aside for emerging small businesses in one of the four designated industry groups (DIGs)). The offeror represents as part of its offer that it
[] is [] is not
an emerging small business.

 $(ii) \ \ \textbf{(Complete only for solicitations indicated in an addendum as being for one of the targeted industry categories (TICs) or four designated industry groups (DIGs)). The offeror represents as follows:$

(A) The offeror's number of employees for the past 12 months (check the Employees column if size standard stated in the solicitation is expressed in terms of number of employees); or

(B) The offeror's average annual gross revenue for the last 3 fiscal years (check the Average Annual Gross Number of Revenues column if size standard stated in the solicitation is expressed in terms of annual receipts).

(Check one of the following:)	
NUMBER of EMPLOYEES	AVERAGE ANNUAL GROSS REVENUES
[] 50 or fewer [] 51 - 100 [] 101 - 250 [] 251 - 500 [] 501 - 750 [] 751 - 1,000 [] Over 1,000	[] \$1 million or less [] \$1,000,001 - \$2 million [] \$2,000,001 - \$3.5 million [] \$3,500,001 - \$5 million [] \$5,000,001 - \$10 million [] \$10,000,001 - \$17 million [] Over \$17 million
(7) (Complete only if the solicitation contains the ADJUSTMENT FOR SMALL DISADVANTAGED BUSINESS BUSINESS PARTICIPATION PROGRAM - DISADVANTAGE benefit based on its disadvantaged status.) (i) GENERAL. The offeror represents that eight (A) It	ED STATUS AND REPORTING the offeror desires a
[] is [] is not	
date of this representation, on the register of small disadvantaged and that no material change in disadvantaged ownership and con-	the net worth of each individual upon whom the certification is based
[] has [] has not	
small disadvantaged business concern in accordance with 13 CFR that no material change in disadvantaged ownership and control l (ii) JOINT VENTURE UNDER THE PRICE DISADVANTAGED BUSINESS CONCERNS. The offeror reprethe requirements in 13 CFR 124.1002(f) and that the representation	mall Business Administration or a Private Certifier to be certified as a R 124, Subpart B, and a decision on that application is pending, and has occurred since its application was submitted. E EVALUATION ADJUSTMENT FOR SMALL esents, as part of its offer, that it is a joint venture that complies with on in paragraph (c)(7)(i) of this provision is accurate for the small enture. The offeror shall enter the name of the small disadvantaged
(8) (Complete if the offeror represented itself as offeror shall check the category in which its ownership falls:	s disadvantaged in paragraph (b)(2) of this provision.) The
[] Black American	
[] Hispanic American	

[Native American (American Indians, Eskimos, Aleuts, or Native Hawaiians).
[Asian Pacific American (persons with origin from Burma, Thailand, Malaysia, Indonesia, Singapore, Brunei, Japan, China, Taiwan, Laos, Cambodia (Kampuchea), Vietnam, Korea, The Philippines, U.S. Trust Territory of the Pacific Islands (Republic of Palau), Rublic of the Marshall Islands, Federated States of Micronesia, the Commonwealth of the Northern Mariana Islands, Guam, Samoa, Macao, Hong Kong, Fiji, Tonga, Kiribati, Tuvalu, or Nauru).
]] Subcontinent Asian (Asian-Indian) American (prsons with origins from India, Pakistan, Bangladesh, Sri Lanka, Bhutan, the Maldives Islands, or Nepal).
[] Individual/concern, other than one of the preceding.
EXECUTIVE ORDER	EVIOUS CONTRACTS AND COMPLIANCE. The offeror represents that
]] has lot
parti	cipated in a previous contract or subcontract subject to the EQUAL OPPORTUNITY clause of this solicitation;
(ii) I	t
-] has not
filed	all required compliance reports.
(2) AF I (i) I	FIRMATIVE ACTION COMPLIANCE. The offeror represents thatt
]	has developed and has on file has not developed and does not have on file
at ea CFR Subparts 60-1 and	ch establishment, affirmative action programs required by rules and regulations of the Secretary of Labor (41 60-2), or
(ii) I	t
and regulations of the S] has not previously had contracts subject to the written affirmative action programs requirement of the rules ecretary of Labor.
1352). (Applies only if knowledge and belief th influence an officer or e of Congress on his or he (f) BUY A	IFICATION REGARDING PAYMENTS TO INFLUENCE FEDERAL TRANSACTIONS (31 U.S.C. the contract is expected to exceed \$100,000). By submission of its offer, the offeror certifies to the best of its at no Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to imployee of any agency, a Member of Congress, an officer or employee of Congress or an employee of a Member or behalf in connection with the award of any resultant contract. MERICAN ACT - TRADE AGREEMENTS - BALANCE OF PAYMENTS PROGRAM lies only if DFARS clause 252.225-7007, TRADE AGREEMENTS ACT, is incorporated by reference in

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defined in the BUY AMERICAN ACT AND BALANCE OF PAYMENTS PROGRAM clause of this solicitation); and

(i) Each end product, except the end products listed in subparagraph (2) below, is a domestic end product (as

this solicitation.)

(1) The offeror certifies that--

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(ii) Components of unknown origin are considered to have been mined, produced, or manufactured outside the United States or a qualifying country. (2) The offeror must identify and certify all end products that are not domestic end products. (i) The offeror certifies that the following supplies qualify as "U.S.-made end products" but do not meet the definition of "domestic end product": (Insert line item no.) (ii) The offeror certifies that the following supplies are qualifying country end products: (Insert line item no.) (Insert country of origin) (iii) The offeror certifies that the following supplies are qualify as designated country end products: (Insert line item no.) (Insert country of origin) (iv) The offeror certifies that the following supplies qualify as Caribbean Basin country end products: (Insert country of origin) (Insert line item no.) (v) The offeror certifies that the following supplies qualify as NAFTA country end products: (Insert line item no.) (Insert country of origin) (vi) The offeror certifies that the following supplies are other nondesignated country end products: (Insert country of origin) (Insert line item no.) (LIST AS NECESSARY) (3) Offers will be evaluated by giving preference to U.S.-made end products, qualifying country end products, designated country end products, NAFTA country end products, and Caribbean Basin country end products over other end products. (g) BUY AMERICAN ACT - NORTH AMERICAN FREE TRADE AGREEMENT (NAFTA) IMPLEMENTATION ACT - BALANCE OF PAYMENTS PROGRAM CERTIFICATE. (Applies only if DFARS clause 252.225-7036, NORTH AMERICAN FREE TRADE AGREEMENT (NAFTA) IMPLEMENTATION ACT, clause is incorporated by reference in this solicitation.) (1) The offeror certifies that--(i) Each end product, except the end products listed in subparagraph (2) below, is a domestic end product (as defined in the BUY AMERICAN ACT AND BALANCE OF PAYMENTS PROGRAM clause of this solicitation); and (ii) Components of unknown origin are considered to have been mined, produced, or manufactured outside the United States or a qualifying country. (2) The offeror must identify and certify all end products that are not domestic end products. (i) The offeror certifies that the following supplies qualify as "U.S.-made end products," but do not meet the definition of "domestic end products": (Insert line item number)

(Insert line item number)

(ii) The offeror certifies that the following supplies are qualifying country (except Canada) end products:

(Insert country of origin)

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	(iii) The offeror certifies that th	ne following supplies qualify as	NAFTA country end products:	
	(Insert line item number)		(Insert country of origin) there non-NAFTA country end products: (Insert country of origin) the end products, qualifying country end products, or ENSION OR INELIGIBILITY FOR AWARD nat clared ineligible for the award of contracts by any Federal d of or had a civil judgment rendered against them for: inpting to obtain, or performing a Federal, state or local tutes relating to the submission of offers; or commission of making false statements, tax evasion, or receiving stolen ged by a Government entity with, commission of any of	
	(iv) The offeror certifies that th	e following supplies are other	non-NAFTA country end products:	
	(Insert line item number)		(Insert country of origin)	
	(LIST A	AS NECESSARY)		
(h)	y end products over other end prod	ucts.		
	The offeror certifies, to the best of	its knowledge and belief, that-	-	
	(1) The offeror and/or any of its p	principals		
	[] are [] are not			
agency, and	presently debarred, suspended, pro	oposed for debarment, or declar	red ineligible for the award of contracts by any Federal	
	(2) [] Have or [] Have not,			
government con	fraud or a criminal offense in connutract or subcontract; violation of I	nection with obtaining, attempt Federal or state antitrust statute	ing to obtain, or performing a Federal, state or local as relating to the submission of offers; or commission of	
	[] are or [] are not			
these offenses.	presently indicted for, or otherwis			

K1.05 OFFEROR REPRESENTATIONS AND CERTIFICATIONS - COMMERCIAL ITEMS (NOV 1995)

- (a) **DEFINITIONS.** As used in this clause--
- (1) **Foreign person** means any person other than a United States person as defined in Section 16(2) of the Export Administration Act of 1979 (50 U.S.C. App. Sec 2415).
- (2) **United States person** is defined in Section 16(2) of the Export Administration Act of 1979 and means any United States resident or national (other than an individual resident outside the United States and employed by other than a United States person), any domestic concern (including any permanent domestic establishment of any foreign concern), and any foreign subsidiary or affiliate (including any permanent foreign establishment) of any domestic concern which is controlled in fact by such domestic concern, as determined under regulations of the President.
 - (b) CERTIFICATION. By submitting this offer, the offeror, if a foreign person, company, or entity, certifies that it-
 - (1) Does not comply with the Secondary Arab Boycott of Israel; and
- (2) Is not taking or knowingly agreeing to take any action, with respect to the Secondary Boycott of Israel by Arab countries, which 50 U.S.C. App. Sec 2407(a) prohibits a United States person from taking.

(DFARS 252.212-7000)

K1.06 DATA UNIVERSAL NUMBERING SYSTEM (DUNS) NUMBER (APR 1998)

- (a) The offeror shall enter, in the block with its name and address on the cover page of its offer, the annotation "DUNS" followed by the DUNS number that identifies the offeror's name and address exactly as stated in the offer. The DUNS number is a nine-digit number assigned by Dun and Bradstreet Information Systems.
- (b) If the offeror does not have a DUNS number, it should contact Dun and Bradstreet directly to obtain one. A DUNS number will be provided immediately by telephone at no charge to the offeror. For information on obtaining a DUNS number, the offeror should call Dun and Bradstreet at 1-800-333-0505. The offeror should be prepared to provide the following information:
 - (1) Company name
 - (2) Company address.
 - (3) Company telephone number.
 - (4) Line of business.
 - (5) Chief executive officer/key manager.
 - (6) Date the company was started.
 - (7) Number of people employed by the company.
 - (8) Company affiliation.
- (c) Offerors located outside the United States may obtain the location and phone number of the local Dun and Bradstreet Information Services office from the Internet Home Page at http://www.dnb.com. If an offeror is unable to locate a local service center, it may send an email to Dun and Bradstreet at globalinfo@mail.dnb.com.

(FAR 52.204-6)

K5 USE OF ELECTRONIC DATA INTERCHANGE (DFSC MAY 1994)

(a) **DEFINITIONS.**

- (1) **Electronic Data Interchange** (EDI) means the computer-to-computer exchange of business documents between trading partners using a public standard format.
- (2) **American National Standards Institute**(ANSI) means the agency that formulates the guidelines for the standards used in EDI transactions. X12 is the ANSI subcommittee responsible for the development and maintenance of guidelines for use in exchanging standard business transactions electronically.
 - (3) **Trading partner** means any business customer engaging in an EDI program.
- (4) **Trading Partner Agreement**(TPA) means the legal document wherein the trading partners agree to the electronic exchange of documents.
- (5) Value Added Network(VAN) means the electronic mailbox through which EDI partners exchange business transactions.
- (b) The Defense Fuel Supply Center (DFSC) may utilize EDI for certain documents in contracts awarded under this solicitation. DFSC has implemented a system using the (ANSI) X12 standards, as applicable, for EDI. When EDI procedures are to be used, DFSC and the Contractor will enter into a TPA.
 - (c) A check in this block indicates that the Contractor has already entered into a TPA with DFSC.
 - (d) Upon submission of the following data, DFSC will forward a TPA to the Contractor for execution:

Company Name:	
	Company Name:

	(2) Point of	Contact for EDI:
	(3) POC's To	elephone Number:
	(4) POC's A	ddress:
	(5) VAN Sea	rvice Provider(s):
	(6) Provide	information for the following fields:
	ISA07	Company Qualifier
	ISA08	Company Value
	GS03	Company Value
	(7) Please ic	entify:
	Element	Separator:
	ub-eleme	nt Separator:
	Segment	Terminator:
the specific of	contracts upon the contracts upon the contracts upon the contract of the contr	be signed between the Contractor and DFSC. As contracts are awarded, the TPA will be incorporated into ne mutual agreement of the Contractor and DFSC. A is executed— A shall identify, among other things, the VAN(s) through which electronic transmissions are made, the ecurity procedures, and guidelines for implementation. tractor shall be responsible for providing its own computer hardware, computer software, and VAN asmit and receive data electronically under the framework of the TPA. cion Sets will be unique to each contract and will be incorporated into contracts as agreed to by the parties. in the TPA will invalidate any part of the contract between the Contractor and DFSC. Is and conditions that would otherwise be applicable to a paper document shall apply to the electronic
company and	Offerors are req	FORMATION (BULK) (DFSC JUN 1986) uired to submit the following information on each iteoffered. Dealers should indicate the producing point of the product on which they are offering. All such information shall be received by the Defense f initial offer.
		NCLUDING NAME OF REFINERY/SHIPPING POINT, STREET ADDRESS, CITY, COUNTY, ELEPHONE NO., AND NO. OF EMPLOYEES AT EACH SHIPPING POINT):

(DFSC 52.208-9F04)

K45.01 FACSIMILE OR ELECTRONIC INVOICING (DFSC JAN 1998)

(a) FACSIMILE INVOICING.

all times.

- (1) Submission of invoices by facsimile (FAX) is authorized when the offeror will utilize this method of invoicing
- (2) Offeror shall indicate whether or not he intends to submit invoices via FAX:

- (3) See the SUBMISSION OF INVOICES FOR PAYMENT clause for FAX invoicing procedures.
- (4) RETURN OF INVOICES BY THE PAYING OFFICE.
- (i) Invoices deemed improper in accordance with the Prompt Payment Act may be returned to the offeror via FAX with the reason for return.
 - (ii) The offeror's FAX number for returning improper invoices is--

(For overseas locations, include the country code)

(b) ELECTRONIC INVOICING (EDI)

- (1) Electronic submission of invoices via Electronic Data Interchange (EDI) for all applicable items (as defined in the SUBMISSION OF INVOICES FOR PAYMENT clause) is authorized when the offeror will utilize this method of invoicing at all times for those affected items.
 - (2) The offeror shall indicate whether it intends to submit electronic invoices via EDI.

[] YES [] NO

(3) See the SUBMISSION OF INVOICES FOR PAYMENT for electronic invoicing procedures.

K85 DISCLOSURE OF OWNERSHIP OR CONTROL BY THE GOVERNMENT OF A TERRORIST COUNTRY (MAR 1998)

- (a) **DEFINITIONS.** As used in this provision--
- (1) **Government of a terrorist country**includes the state and the government of a terrorist country, as well as any political subdivision, agency, or instrumentality thereof.
- (2) **Terrorist country** means a country determined by the Secretary of State, under Section 6(j)(1)(A) of the Export Administration Act of 1979 (50 U.S.C. App. 2405(j)(i)(A)), to be a country the government of which has repeatedly provided support for acts of international terrorism. As of the date of this provision, terrorist countries include Cuba, Iran, Iraq, Libya, North Korea, Sudan, and Syria.
 - (3) Significant interest, as used in this provision means--
- (i) Ownership of or beneficial interest in 5 percent or more of the firm's or subsidiary's securities. Beneficial interest includes holding 5 percent or more of any class of the firm's securities in "nominee shares," "street names," or some other method of holding securities that does not disclose the beneficial owner;
 - (ii) Holding a management position in the firm, such as director or officer;
 - (iii) Ability to control or influence the election, appointment, or tenure of directors or officers in the firm;
- (iv) Ownership of 10 percent or more of the assets of a firm such as equipment, buildings, real estate, or other tangible assets of the firm; or
 - (v) Holding 50 percent or more of the indebtedness of a firm.
- (b) **PROHIBITION ON AWARD.** In accordance with 10 U.S.C. 2327, no contract may be awarded to a firm or subsidiary of a firm if the government of a terrorist country has a significant interest in the firm or subsidiary or, in the case of a subsidiary, the firm that owns the subsidiary, unless a waiver is granted by the Secretary of Defense.

(c) **DISCLOSURE.**

If the government of a terrorist country has a signifant interest in the offeror or a subsidiary of the offeror, the offeror shall disclose such interest in an attachment to its offer. If the offeror is a subsidiary, it shall also disclose any significant interest each government has in any firm that owns or controls the subsidiary. The disclosure shall include--

(1) Identification of each government holding a significant interest; and

(2) A description of the significant interest held by each Government. (DFARS 252.209-7001)

SECTION L

L2.05-2 INSTRUCTIONS TO OFFERORS - COMMERCIAL ITEMS (BULK) (DESC MAY 1998)

(a) STANDARD INDUSTRIAL CLASSIFICATION (SIC) CODE AND SMALL BUSINESS SIZE STANDARD.

The SIC code for this acquisitionis <u>2911</u>. The small business size standard i<u>no more than 1,500</u>employees: <u>and a capacity of no more than 50,000 barrels per day, and 90% refined by the contract</u>oHowever, the small business size standard for a concern that submits an offer in its own name, but that proposes to furnish an item that it did not itself manufacture, is 500 employees, including all affiliates.

- (b) **SUBMISSION OF OFFERS.** Submit signed and dated offers to the office specified in this solicitation at or before the exact time specified in this solicitation. Offers may be submitted on the SF 1449, letterhead stationery, or as otherwise specified in the solicitation. As a minimum, offers must show--
 - (1) The solicitation number;
 - (2) The time specified in the solicitation for receipt;
 - (3) The name, address, and telephone, and facsimile number of the offeror (and electronic address if available);
- (4) A technical description of the items being offered in sufficient detail to evaluate compliance with the requirements in the solicitation. This may include product literature, or other documents, if necessary
 - (5) Terms of any express warranty;
 - (6) Price and any discount terms;
 - (7) "Remit to" address, if different from mailing address;
 - (8) A completed copy of the representations and certifications in the certification package;
 - (9) Acknowledgment of solicitation amendments;
- (10) Names, titles, and telephone and facsimile numbers (and electronic addresses if available) of persons authorized to negotiate on the offeror's behalf with the Government in connection with this solicitation;
- (11) Name, title, and signature of person authorized to sign the proposal. Proposals signed by an agent shall be accompanied by evidence of that agent's authority, unless that evidence has been previously furnished to the issuing office
- (12) Past performance information, when included as an evaluation factor, to include recent and relevant contracts for the same or similar items and other references (including contract numbers, points of contact with telephone numbers and other relevant information); and
- (13) If the offer is not submitted on the SF 1449, include a statement specifying the extent of agreement with all terms, conditions, and provisions included in the solicitation. Offers that fail to furnish required representations or information, or that reject the terms and conditions of the solicitation may be excluded from consideration.
- (c) **PERIOD FOR ACCEPTANCE OF OFFERS.** The offeror agrees to hold the prices in its offer firm for 180 calendar days from the date specified for receipt of offers, unless another time period is specified in an addendum to the solicitation.
- (d) **PRODUCT SAMPLES.** When required by the solicitation, product samples shall be submitted at or prior to the time specified for receipt of offers. Unless otherwise specified in this solicitation, these samples shall be submitted at no expense to the Government, and returned at the sender's request and expense, unless they are destroyed during preaward testing.
- (e) **MULTIPLE OFFERS.** Offerors are encouraged to submit multiple offers presenting alternative commercial items for satisfying the requirements of this solicitation. Each offer submitted will be evaluated separately.
- (f) **LATE OFFERS.** Offers or modifications of offers received at the address specified for the receipt of offers after the exact time specified for receipt of offers will not be considered.
 - (g) CONTRACT AWARD (not applicable to Invitations for Bids).
- (1) The Government intends to award a contract or contracts resulting from this solicitation to the responsible offeror(s) whose proposal(s) represents the best value after evaluation in accordance with the factors and subfactors in the solicitation.
 - (2) The Government may reject any or all proposals if such action is in the Government's interest.
 - (3) The Government may waive informalities and minor irregularities in proposals received.
- (4) The Government intends to evaluate proposals and award a contract after conducting discussions with offerors whose proposals have been determined to be within the competitive rangelf the Contracting Officer determines that the number of proposals that would otherwise be in the competitive range exceeds the number at which an efficient competition can be conducted, the Contracting Officer may limit the number of proposals in the competitive range to the greatest number that will permit an efficient

competition among the most highly rated proposals. Therefore, the offeror's initial proposal should contain the offeror's best terms from a price and technical standpoint. While the Government intends to evaluate offers and award a contract after oral or written discussions

with offerors, it reserves the right not to conduct discussions, as determined by the Contracting Officer. However, the offeror's initial offer should contain the offeror's best terms from a price and technical standpoint. The Government reserves the right not to conduct discussions as determined by the Contracting Officer. The Government may reject any or all offers if such action is in the public interest; accept other than the lowest offer; and waive informalities and minor irregularities in offers received.

- (5) Exchanges with offerors after receipt of a proposal do not constitute a rejection or counteroffer by the Government.
- (6) A written award or acceptance of proposal mailed or otherwise furnished to the successful offeror within the time specified in the proposal shall result in a binding contract without further action by either party.
- (h) **MULTIPLE AWARDS.** The Government may accept any item or group of items of an offer, unless the offeror qualifies the offer by specific limitations. Unless otherwise provided in the Schedule, offers may be submitted for quantities less than those specified. The Government

those specified. The Government reserves the right to make an award on any item for a quantity less than the quantity offered, at the unit cost or prices offered, unless the offeror specifies otherwise in the offer.

(i) AVAILABILITY OF REQUIREMENTS DOCUMENTS CITED IN THE SOLICITATION.

- (1) The Index of Federal Specifications, Standards, and Commercial Item Description and the documents listed in it may be obtained from the General Services Administration, Federal Supply Service Bureau, Specifications Section, Suite 8100, 470 L'Enfant Plaza, SW, Washington, DC 20407 (telephone (202) 619-8925, 8926, or 8927). FAX number is (202) 619-8978 or 8985.
- (2) The DOD Index of Specifications and Standards (DODISS) and documents listed in it may be obtained from the Standardization Documents Desk, Building 4D, 700 Robbins AvenuePhiladelphia, PA 19111-5094 (telephone (215) 697-2569).
 - (i) Automatic distribution may be obtained on a subscription basis.
- (ii) Individual documents may be ordered from the Telespecs ordering system by touch-tone telephone. A customer number is required to use this service and can be obtained from the Standardization Documents Order Desk or the Special Assistance Desk (telephone (610) 607-2667/2179).
- (3) Non-government (voluntary) standards must be obtained from the organization responsible for their preparation, publication, or maintenance.
- (j) **DATA UNIVERSAL NUMBERING SYSTEM (DUNS) NUMBER.** (Applies to offers exceeding \$25,000.) The offeror shall enter, in the block with its name and address on the cover page of its offer, the annotation "DUNS" followed by the DUNS number that identifies the offeror's name and address. If the offeror does not have the DUNS number, it should contact Dun and Bradstreet to obtain one at no charge. An offeror within the United States may call 1-800-333-0505. The offeror may obtain more information regarding the DUNS number, including locations of local Dun and Bradstreet Information Services offices for offerors located outside the United States, from the Internet home page at http://www.dnb.com/. If an offeror is unable to locate a local service center, it may sendan e-mail to Dun and Bradstreet at globalinfo@mail.dnb.com.

(FAR 52.212-1, tailored)

L2.07 EVIDENCE OF RESPONSIBILITY (DFSC JAN 1998)

- (a) Any offeror not performing a significant portion of the contract with its own facilities and personnel may be determined by the Contracting Officer to be nonresponsible.
- (b) If the offeror's source of supply is a firm or refinery independent of the offeror, the offeror shall submit evidence of a supply commitment from such source(s) when submitting its offer under this solicitation. Evidence of supply commitments must extend to the subcontracting level at which the product is produced.
- (c) Such evidence may be in the form of a signed copy of the contract between the offeror and its supplier or in the form of a contingency letter from the supplier or other satisfactory documentation. In any event, such evidence of agreement shall clearly identify--
 - (1) The volumes to be supplied;
 - (2) The specification(s) of product(s) to be supplied;
 - (3) The points of delivery and period of contract performance;
 - (4) The escalation provision(s) applicable to products to be supplied; and
 - (5) The supplier's delivery and inspection terms and conditions.
- (d) If the offeror changes its source of supply, such change must be made no later than the time specified for the submission of Final Revised Proposals. A notice of a change in the offeror's source of supply must include the documentation set forth in (c) above.
- (e) Failure to comply with the above provisions may result in a determination of non-responsibility by the Contracting Officer.

L2.09 EVIDENCE OF RESPONSIBILITY (OPERATING CRITERIA) (DFSC JAN 1998)

- (a) To be determined responsible, an offeror must designate, as a source of supply for performance under any resulting contract, a refinery that is operating at the time the offeror submits it Final Revised Proposal. An operating refinery is a refinery that is producing petroleum products.
- (b) The evidence of responsibility required by this provision is in addition to the responsibility criteria set forth in FAR 9.104.

L205 COMMERCIAL AND GOVERNMENT ENTITY (CAGE) CODE REPORTING (DEC 1991)

- (a) The offeror is requested to enter its CAGE code on its offer in the block with its name and address. The CAGE code must be for that name and address. Enter CAGE before the number.
- (b) If the offeror does not have a CAGE code, it may ask the Contracting Officer to request one from the Defense Logistics Services Center (DLSC). The Contracting Officer will--
- (1) Ask the Contractor to complete section B of a DD Form 2051, Request for Assignment of a Commercial and Government Entity (CAGE) Code;
 - (2) Complete section A and forward the form to DLSC; and
 - (3) Notify the Contractor of its assigned CAGE code.
 - (c) Do not delay submission of the offer pending receipt of a CAGE code.

(DFARS 252.204-7001)

ATTACHMENT 1

	<u>DD 1155</u>	
	CLAS Subj: Submission of DD 1155's. ccordance with Clause G150.05, the following order is submitted.	
A.	Contract Number:	
B.	Contractor:	
C.	(1) Order No.:	
	(2) Purchase Request No.:	
D.	Date of Order:	
E.	Clin:	
F.	NSN:	
Nam	ne/Grade of Product:	
G.	Quantity Ordered:	
H.	Unit of Issue:	
I.	Unit Price:	
J.	Total Dollar Value:	
K.	Appropriation/Fund Code/Signal Code:	
L.	Method of Delivery:	
M.	Name/Title of Contracting Officer:	
N.	Confirming DD 1155mailed this date.	
REM	MARKS:	

ATTACHMENT 2

	<u>DD 250/DD 250-1</u>	
	CLAS Subj: Submission of DD 250. ccordance with Clause G150.05, the following is submitted as a receiving report.	
	Contract Number:	
	Contractor:	
c.	(1) Order Number:	
d.	Shipment Number:	
e.	Date Shipped: (1) Date Commenced Loading:	
	(2) Date Completed Loading:	
f.	Discount Terms:	
g.	Clin:	
h.	NSN:	
i.	Name/Grade of Product:	
j.	Quantity Accepted:	
k.	Unit of Issue:	
1.	Unit Price:	
m.	Total Dollar Value:	
n.	Appropriation/Fund Code/Signal Code:	
o.	Method of Delivery:	
p.	Name/Title of Accepting Gov't Rep.:	
q.	Confirming DD 250 mailed this date.	
2. R	Remarks:	

ATTACHMENT 3

PLEASE COMPLETE ALL BLOCKS

OR REQUEST [] CHANGE REQUEST []	FOR CAGE CODE
Requester's Name: DFSC- Phone No.:	Type of Case Requested [X one]: a. Contracting [] b. Cataloging [] #1 Exception Codes:
Company Name [+Branch/Div/etc.]	a. CAO [] b. ADP [] Previously Assigned Cage:
Address [Street/City/State/Zip]	#2 If firm previously operated under other name(s) or other address(es), specify the previous name(s) and/or address(es). Use Remarks Section if necessary.
Address of PO Box/City/State/Zip if different from above	
Bidder Code: Phone No.:	#4
Point of Contact:	Primary Business Category [X one]
Parent Company and Affiliated Firms [X one, and complete as applicable] [] a. None [] b. Currently affiliated w/ other firms	[] a. Manufacturer [] b. Dealer/Distributor [] c. Construction Firm [] d. Service Company [] e. Sales Officer [] f. Other [Specify]: #5
Disadvantaged Business Status	Number of Employees:
 [X one]: [] a. Approved by SBA Sec 8[a] [] b. Other Disadvantaged Small Business Firm [] c. Not Disadvantaged Small Business Firm 	Taxpayer ID No.: Standard Industrial Classification (SIC) Code(s), maximum of four: a. Primary b. Other
	#7 #8
Women-Owned Business [X one]: [] Yes [] No [] Uncertified Type of Business [] a. Partnership [] b. Nonprofit Organization [] c. Individual [] d. Corporation	Remarks: MDIS Inquiry Completed [] [ini] Microfiche check completed [] [ini] Action finalized and returned to requested [Date] Cage Code #

#10

CONTRA	ACTO	R BU	LK	LIQU	IID I	FAC	ILIT	IES REI	POR	Γ	4	AS OF D	ATE					M APF		
NAME OF FIRM					TERMINAL NAME, ADDRESS AND ZIP CODE															
NEAREST CIT	Y OR T	OWN A	AND S	STATE	DIST	TANC	E		DIRE	CTIO	N		ROL	JTE N	UMB	ERTE	RMIN	AL PH	ONE	NO.
TERMINAL TE	RAFFIC	MANA	GER		НОІ	ME PI	HONE	NO.	ASST. TERMINAL TRAFFIC MANAGER HOME PHONE NO.											
RAILHEAD									TRUCK SHIPPING POINT											
RAILROAD(S) SERVI	NG TE	RMIN	IAL					BAF	RGE A	ND	TANKE	R SHI	PPING	3 PO	INT				
NAME OF PI	PELINE	SERV	ING T	ERMIN	NAL		L	INE SIZE		N	IOR	MAL WO	ORK E	DAYS		NORM	AL W	ORK	HOU	RS
					В	ULK	PRO	DUCTS S	HIPIN	G CA	ŀΡΑ	BILITY								
GRAI (Insert Bulk F Handled)	Product																			
CATE		SH YES		NO. (LOAD SPO	ING	SH YES	IIP NO	NO. OF LOADING SPOTS	3 7/50	NO	LC	NO. OF DADING SPOTS		IIP NO	LO	IO. OF ADING POTS		HIP NO	LO	IO. OF ADING SPOTS
TANK CARS	10,000 20,000																			
TANK TRUCK	(
BARGE																				
TANKER																				
PIPELINE				MAX	XIMU	N NU	MBEF	R OF TANK	TRU	CKS T	HA	TCAN E	E LO	ADEC)					
CATEGO	DRY	8 HRS	3 16 I					HR\$24 HR								24 HRS	8 HR	S 16	HR\$	24 HRS
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TANK TRUC	-						+													
					MAX	XIMUI	и ѕні	PPING RA	TES II	I BAR	REI	LS PER	HOUF	₹				_		
BARGE																				
TANKER																				
PIPELINE																				
IS RECIPRO	-	123	10. O	F SWI	ГСНЕ	ES	TIME	OF DAY S	WITC	IING I	IS P	ERFORI	MED	T HE	RAILF	HES PEI ROAD AD	EQUA			YES
EFFECT? HOW MANY 1 OTHER THA									AGE	•	0 G/	ALLON 1	ANK		_			LON 1	ANK	NO CARS
WHERE BOTH	TT AN	D TC F	ACIL	ITIES	AVA	ILABI	.E, S	TATE ANY	LIMIT	ATIO	N FC	OR SHIP	PING	ву о	NE O	R BOT	Н МС	DES		
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LENGTH: BEAM:					LEN	GTH:					BEA	M:								
CAN YOU LOA		N N	0									E WHAT							LTAI	NEOUS
FURTHER INFORMATION THAT CAN BE FURNISHED TO ASSIST TYPED NAME OF TERMINAL MANAGER TELEPHONE NO.							SIGNATURE DATE													

DFSC Form 1890 MAR 95